

## Department of Justice

Pt. 2815

verify the arithmetic accuracy of the invoiced amount and verify on the invoice that the supplies and/or services have been received and accepted. If the invoice is correct, the individual making the purchase shall sign the invoice indicating acceptance and immediately forward it to the appropriate administrative office. The invoice shall be approved by the appropriate administrative office and forwarded to the Finance Office for payment within 5 workdays after receipt of the invoice, or acceptance of supplies or services, whichever is later. Before forwarding the invoice to Finance, the administrative office shall place the following statement on the invoice, along with the accounting and appropriation data:

I certify that these goods and/or services were received on \_\_\_\_\_ (date) and accepted on \_\_\_\_\_ (date). Oral purchase was authorized and no confirming order has been issued.

Signature \_\_\_\_\_  
Date \_\_\_\_\_

Printed or Typed Name and Title \_\_\_\_\_

### PART 2814—SEALED BIDDING

#### Subpart 2814.4—Opening of Bids and Award of Contract

Sec.

2814.407 Mistakes in bids.

2814.407-3 Other mistakes disclosed before award.

2814.407-4 Mistakes after award.

2814.409 Information to bidders.

2814.409-2 Award of classified contracts.

AUTHORITY: 28 U.S.C. 510; 40 U.S.C. 486(c); 28 CFR 0.75(j) and 28 CFR 0.76(j).

SOURCE: 63 FR 16127, Apr. 2, 1998, unless otherwise noted.

#### Subpart 2814.4—Opening of Bids and Award of Contract

##### 2814.407 Mistakes in bids.

##### 2814.407-3 Other mistakes disclosed before award.

(a) The authority to make determinations under paragraphs (a), (b), (c), and (d) of FAR 14.407-3 is delegated to the HCA or designee at a level not lower than the BPC.

(b) The following procedures shall be followed when submitting doubtful

cases of mistakes in bids to the Comptroller General for an advance decision:

(1) Requests for advance decisions submitted to the Comptroller General in cases of mistakes in bids shall be made by the HCA.

(2) Requests for advance decisions shall be in writing, dated, signed by the requestor, addressed to the Comptroller General of the United States, General Accounting Office, Washington, D.C. 20548, and contain the following:

(i) The name and address of the party requesting the decision;

(ii) A statement of the question to be decided, a presentation of all relevant facts, and a statement of the requesting party's position with respect to the question; and

(iii) Copies of all pertinent records and supporting documentation.

##### 2814.407-4 Mistakes after award.

Proposed determinations under FAR 14.407 shall be coordinated with legal counsel in accordance with bureau procedures.

##### 2814.409 Information to bidders.

##### 2814.409-2 Award of classified contracts.

In accordance with FAR 14.409-2, the contracting officer shall advise the unsuccessful bidders, including any who did not bid, to take disposition action in accordance with bureau procedures.

### PART 2815—CONTRACTING BY NEGOTIATION

#### Subpart 2815.2—Solicitation and Receipt of Proposals and Information

Sec.

2815.205 Issuing solicitations.

2815.207 Handling proposals and information.

##### Subpart 2815.4—Contract Pricing

2815.404 Proposal analysis.

2815.404-2 Information to support proposal analysis.

2815.404-4 Profit.

2815.407-4 Should-cost review.

##### Subpart 2815.6—Unsolicited Proposals

2815.606 Agency procedures.

## **2815.205**

AUTHORITY: 28 U.S.C. 510; 40 U.S.C. 486(c); 28 CFR 0.75(j) and 28 CFR 0.76(j).

SOURCE: 63 FR 16128, Apr. 2, 1998, unless otherwise noted.

### **Subpart 2815.2—Solicitation and Receipt of Proposals and Information**

#### **2815.205 Issuing solicitations.**

Solicitations involving classified information shall be handled in accordance with the policies and procedures contained in Departmental regulations and other offices, boards, divisions, and bureaus (OBDBs) prescribed policies and regulations that supplement Departmental regulations.

#### **2815.207 Handling proposals and information.**

Classified proposals and quotations shall be handled in accordance with the current DOJ Order agency regulations and any supplemental directives or orders implemented by the OBDBs. Such supplemental regulations must have the prior approval of the AAG/A before implementation in accordance with the Departmental regulations.

### **Subpart 2815.4—Contract Pricing**

#### **2815.404 Proposal analysis.**

##### **2815.404-2 Information to support proposal analysis.**

All requests for field pricing support shall be made by the contracting officer directly to the cognizant audit agency. A copy of the request for such services shall be sent to the Department of Justice Office of the Inspector General (OIG) at the address shown in this subsection at the time it is mailed to the cognizant audit agency. A copy of each report received shall also be sent to the OIG. Requests for other audit assistance may be made to the Assistant Inspector General for Audits, Suite 5000, 1425 New York Avenue, NW., Washington, DC 20530.

##### **2815.404-4 Profit.**

If a contractor insists on a price or demands a profit or fee that the contracting officer considers unreasonable and the contracting officer has taken all authorized actions to negotiate a

## **48 CFR Ch. 28 (10-1-04 Edition)**

reasonable price or profit or fee without success, the contracting officer shall then refer the contract action to the HCA or designee.

#### **2815.407-4 Should-cost review.**

In acquisitions for which a program should-cost review is conducted, the required should-cost review team report shall be prepared in accordance with bureau procedures.

### **Subpart 2815.6—Unsolicited Proposals**

#### **2815.606 Agency procedures.**

(a) Each contracting activity shall designate a point of contact for the receipt and handling of unsolicited proposals. Generally, the official designated shall be the BPC or immediate subordinate.

(b) The designated point of contact for each contracting activity shall provide for and coordinate receipt, review, evaluation, and final disposition of unsolicited proposals in accordance with FAR subpart 15.6.

## **PART 2816—TYPES OF CONTRACTS**

### **Subpart 2816.5—Indefinite-Delivery Contracts**

Sec.

2816.505 Ordering.

#### **Subpart 2816.6—Time-and-Materials, Labor-Hour, and Letter Contracts**

2816.601 Time-and-material contracts.

2816.602 Labor-hour contracts.

2816.603 Letter contracts.

2816.603-2 Application.

2816.603-3 Limitations.

AUTHORITY: 28 U.S.C. 510; 40 U.S.C. 486(c); 28 CFR 0.75 (j) and 28 CFR 0.76(j).

SOURCE: 63 FR 16128, Apr. 2, 1998, unless otherwise noted.

### **Subpart 2816.5—Indefinite-Delivery Contracts**

#### **2816.505 Ordering.**

(a) In accordance with FAR 16.505(b)(4), the Department of Justice Task Order and Delivery Order Ombudsman is the DOJ Competition Advocate.